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/as

Attorney for Plaintiff

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

VERNARD SMITH,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner, Social Security
Administration,

Defendant.

) No.: C08-05314 JF RS

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) STIPULATION AND ORDER FOR
) DISMISSAL

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Plaintiff and Defendant, through their respective attorneys, hereby stipulate that this matter be dismissed in its entirety without prejudice. Each party shall bear their own attorney's fees and costs.

JOSEPH P. RUSSONIELLO
United States Attorney

Dated: April 29, 2009


/s/
JACQUELINE A. FORSLUND
Special Assistant U.S. Attorney

Dated: April 29, 2009

/s/
HARVEY P. SACKETT
Attorney for Plaintiff
VERNARD SMITH

IT IS SO ORDERED.

Dated: 4/30/09


HON. JEREMY FOGEL
United States District Judge